

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA  
PITTSBURGH DIVISION**

AMY BUMBARGER, )  
v. Plaintiff, ) ) CASE NO. 2:15-cv-00993-TFM  
COMENITY BANK, )  
Defendant. ) )

**STIPULATION AND AGREED ORDER**

This matter comes before the Court pursuant to an agreement by the parties. Plaintiff Amy Bumbarger (“Plaintiff”) and Defendant Comenity Bank (“Comenity”), by and through their undersigned counsel, have agreed to stay proceedings pending a ruling on Comenity’s Motion to Compel Arbitration and to Dismiss Plaintiff’s claims (ECF No. 14). Plaintiff now joins in Comenity’s Motion to Stay Proceedings (ECF No. 17) and the parties request this Court grant the Motion to Stay Proceedings for the reasons set forth in the Motion to Stay.

The parties further request this Court grant Plaintiff a 15-day extension of time to response to Comenity’s Motion to Compel Arbitration and to Dismiss Plaintiff’s Claims. *See* ECF No. 16.

Upon review of the docket and other good cause shown, the Court finds the parties’ request to be appropriate and well-taken. Therefore, this Court **ORDERS** that:

The Motion to Stay Proceedings is **GRANTED**. The parties’ obligations to comply with the pretrial deadlines under Fed. R. Civ. P. 26(f), this Court’s Local Rules, and the Court’s Initial Local Rule 16.1 Scheduling Order (ECF No. 10) are stayed pending the resolution of Comenity’s

Motion to Compel Arbitration and to Dismiss. Further, the Initial Case Management Conference currently set on November 23, 2015 is hereby **CANCELLED**.

The parties' request for a 15-day extension for Plaintiff to file any opposition to Comenity's Motion to Compel Arbitration and to Dismiss is **GRANTED**. Plaintiff shall file her opposition to Comenity's Motion to Compel Arbitration and to Dismiss on or before November 12, 2015.

APPROVED:

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| <u>/s/ Craig T. Kimmel</u><br>Craig T. Kimmel<br>Kimmel & Silverman, P.C.<br>30 East Butler Pike<br>Ambler, PA 19002<br>kimmel@creditlaw.com<br><br>Attorneys for Plaintiff | <u>/s/ Zachary D. Miller</u><br>Zachary D. Miller ( <i>admitted pro hac vice</i> )<br>(TN BAR # 032674)<br>J. Christopher Suedekum ( <i>admitted pro hac vice</i> )<br>(VA BAR # 80984)<br>Burr & Forman LLP<br>511 Union Street, Suite 2300<br>Nashville, Tennessee 37219<br>Telephone: (615) 724-3216<br>Facsimile: (615) 724-3316<br>zmiller@burr.com<br>csuedekum@burr.com<br><br>Attorneys for Defendant<br>COMENITY BANK |
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**IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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HON. TERRENCE F. MCVERRY